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RUEHLH/AMCONSUL LAHORE 6717
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S E C R E T SECTION 01 OF 03 ISLAMABAD 000269

SIPDIS

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TAGS: [PREL](#) [PTER](#) [PGOV](#) [PK](#)

SUBJECT: PAKISTAN INVESTIGATION INTO MUMBAI ATTACKS LEADS
TO LOCAL CAMPS

REF: A. ISLAMABAD 109

[B](#). ISLAMABAD 93

Classified By: Anne W. Patterson for reasons 1.4 (b), (d).

[1](#)1. (C) Summary: On February 5, Interior Minister Rehman Malik met with the Ambassador and FBI agents to discuss the initial results of the FIA-led investigation into the Mumbai attacks.

Malik shared both the investigation team's findings and the draft First Instance Report (FIR), both of which will be made public in the next few days. Post should receive a detailed copy of the findings once the FIR is announced.

Significantly, Malik's investigation team used FBI-shared tearlines to discover two militant training camps in Sindh and several suspects, which have allowed the investigators to build a strong terrorism case. Malik plans to present the investigation findings publicly to Prime Minister Gilani by this weekend, and then file the FIR in court by February 8. Both Malik and Law Minister Farooq Naek have assured Post that a Presidential Ordinance to change the Anti-Terrorism Act will soon be signed by President Zardari. The FIA-led team conducted a surprisingly thorough and far-reaching investigation, which Malik assured us will lead to a successful FIR, a subsequent inquiry, and then prosecution in ATA courts. Tangible progress in prosecuting the suspects will hopefully help to calm the inflammatory rhetoric from India. End summary.

INVESTIGATION REPORT

[1](#)2. (C) Interior Minister Rehman Malik met with the Ambassador, Assistant Legal Attache Carol Sniegowski, and Special FBI Agent David Shea on February 5 at his residence to discuss the ongoing investigation into the Mumbai attacks.

He shared the initial investigation report, which he described as very sensitive because it had yet to be shared with Prime Minister Gilani. Malik's FIA-led taskforce on Mumbai, to which he appointed 5 FIA directors, has prepared a detailed investigation report. Malik shared the thick bound and indexed report with detailed pictures and maps outlining the investigation leads. He assured the Ambassador that once the document is presented to Gilani, Post will also receive a hard copy. In order to avoid upstaging the Prime Minister, Malik plans to present the report to Gilani on February 6 or

[1](#)7. In turn, Gilani will ask Malik to make certain pertinent portions public. Malik then will hold a press conference with the Ministry of Foreign Affairs. Malik also plans to brief the Indian High Commissioner in Islamabad about the details of the investigation.

¶3. (S//NF) The investigation report contains the Indian dossier, highlights of the Ajmal Kasab interview, and each investigative lead which the FIA-led taskforce has followed. Although tearline requests from the FBI were not included in the report, it was evident that responses to many of these requests were represented in the report.

¶4. (S//NF) Investigators tracked the Yamaha engine (used to power the Mumbai attackers' raft) to its point of sale, and using the receipts identified the purchaser as Amjad Khan. Khan is currently missing; however, his family is in FIA custody in Multan.

¶5. (S//NF) Tracing the "voice over internet protocols" (VOIP), the investigators followed one of the MoneyGram payments made by suspect Muhammad Ishfaq and discovered that his employer had used Ishfaq's identity card to conceal his identity in making payment to Callphonex, the VOIP company. Ishfaq is currently in FIA custody. Further investigation of the payments, led to a house in Karachi where the FIA picked up Hammad Ameen Sadiq. Malik described Sadiq as a "main Lashkar-e-Taiba (LET) operator." Sadiq was interrogated extensively in FIA custody and eventually he led investigators to two training camps, one in Karachi and one near Thatta, Sindh.

¶6. (S//NF) Police raided these two training camps, but they had been vacated shortly before the raids. Investigators found several pieces of evidence at the two camps, including Jamaat ud-Dawa (JUD) flags, rafts, life vests, and engine

ISLAMABAD 00000269 002 OF 003

parts. Malik said that most of the items they found were similar to those used by the Mumbai attackers. Malik also pointed out a world map found in the camps; he claimed that the map indicated the militants had terror designs beyond South Asia. The Thatta camp is also near the mouth of a river, which Malik indicated could have been the launching or training spot for the Mumbai attackers. Malik admitted that he was surprised at the technical savvy which the militants had.

¶7. (S//NF) Piecing together receipts and customs data, the investigators obtained crew lists for three boats which they believe were involved in the militant activity: Al-hasania, Al-ahad, and Al-fawz. The names on the boats had recently been painted over, however, customs records indicate some overlapping crew members on all three. According to investigators, the boats went out for approximately 3 days around November 15, 2008.

¶8. (S//NF) The investigators are also following leads in Spain, Italy, and Austria. Cell phones, wire transfers, and other evidence have been linked to Pakistanis in these countries. The investigation report contained detailed findings which Post will better be able to share once we receive a hardcopy.

FIRST INSTANCE REPORT (FIR)

¶9. (C) In order to prosecute the Mumbai attack perpetrators fully, after this initial investigation a court will approve a FIR, similar to a U.S. complaint. If the court finds the FIR compelling, it will then lay out criteria for a full inquiry that will result in prosecution. Malik shared with the Ambassador a copy of the draft FIR. The FIR covers 17 suspects (including the 3 in Inter-Service Intelligence custody) under both the Anti-Terrorism Act (ATA) and cyber-crimes charges. The draft FIR has been prepared in conjunction with the Law Ministry and Malik plans to file it on either February 7 or 8. The FIR details the role of each of the 17 suspects and all the witnesses requested for the prosecution. The FIR's likely acceptance by the court will

be a major step: formally starting the prosecution of the Mumbai perpetrators.

ATA ORDINANCE

¶10. (C) Malik also reiterated that he and Law Minister Naek have prepared a presidential ordinance to modify the ATA. Malik said that the president would sign the document into law very soon. Naek confirmed to Poloff on January 30 that the ordinance would stand legal scrutiny and would be passed very soon. The Law Minister said the ATA would be changed in three major ways: expanding its jurisdiction to extraterritorial crimes; establishing a special ATA bench in Islamabad; and making the changes retroactive to March 2008.

COMMUNICATION WITH INDIA

¶11. (C) Malik stressed that he understood the political pressure that New Delhi is facing leading up to their own elections in April. He hoped that the FIR and investigation report would help to calm tensions between the two countries. Malik plans to brief the Indian High Commissioner to Pakistan privately on "salient points" after he presents the investigation report to Gilani. He has also submitted a list of 32 questions to India through diplomatic channels and awaits the GOI's response. Additionally, after the FIR is submitted Malik would like Indian technical cooperation on certain evidentiary details, including details on the guns, Thoraya satellite phones, grenades, and perpetrators. Though highly unlikely, Malik hoped that the Indians would grant the FIA access to Kasab. Malik asked the Ambassador to press the Indians to stop "pestering" Pakistan since the GOP was serious about prosecution.

ISLAMABAD 00000269 003 OF 003

GOP'S MESSAGE AND FOLLOWUP

¶12. (C) Despite Malik and the FIA team's solid evidence linking the attack to Pakistan, newspapers and some Pakistani officials continue to make misleading comments. On February 1, Pakistan's High Commissioner to the UK Wajid Shamsul Hassan said in an interview that the Mumbai terrorist attack was not planned in Pakistan. Pakistani press continues to allude to plots hatched in Bangladesh or Dubai. Both President Zardari and Malik told the Ambassador that Hassan was not authorized to speak and that he was way off the mark. Malik's and Gilani's public presentation of the investigation's findings should help to quell these false reports.

¶13. (S//NF) The GOP is seeking U.S. technical help with tracing the IP addresses, seeking access to Kasab, and finding the VOIP subscribers. Malik said that he could not give the FBI direct access to suspects in GOP custody because he would lose all credibility in Pakistan. He did promise to send an FIA investigator to Washington to share all relevant reports with the FBI.

¶14. (C) Comment: With rumors flying in Islamabad about the Mumbai investigation not moving forward, seeing the actual details and findings of the taskforce was reassuring. The FBI investigators were pleasantly surprised at the lengths the FIA investigators had gone in chasing the tearline information passed to them. Malik and his team have followed all the leads at their disposal and have developed a convincing charge sheet for the courts. The GOP investigators still lack certain concrete details from the Indians which will help to clinch the prosecution. In the near term, we hope that Malik and Gilani will present the

findings publicly and share their efforts with the GOI. The FBI and Post will continue to offer assistance to ensure speedy and successful prosecution of the suspects in Pakistan. End comment.
PATTERSON